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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

7 JOSE DECASTRO ) Case No.: 2:23-CV-00580  
8 Plaintiff, )  
9 v. )  
10 LAS VEGAS METROPOLITAN POLICE )  
11 DEPARTMENT, et al. )  
12 Defendants. )  
13 \_\_\_\_\_ )

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15 Plaintiff Jose DeCastro (“Plaintiff”) hereby files this affidavit stating that Defendants  
16 have not contacted Plaintiff “for purposes of meeting to discuss a proposed discovery plan and  
17 scheduling order to be filed with the Court” as ordered by this Court on July 21, 2023.

18 **AFFIDAVIT OF JOSE DECASTRO**

19 On July 6, 2023, Defendants moved to “stay this civil action during the pendency of the  
20 state court criminal proceedings” (ECF No. 32, 8:12-13).

21 On July 21, 2023, this Court granted that motion in an order (“Order”) at ECF No. 35.  
22 Further, the Order said that discovery shall continue after a ruling on the motion to dismiss. “IT  
23 IS FURTHER ORDERED that no later than fourteen (14) days after the Court issues an Order

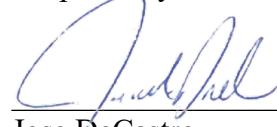
1 pertaining to the pending Motion to Dismiss, Defendants must contact Plaintiff for purposes of  
2 meeting to discuss a proposed discovery plan and scheduling order to be filed with the Court.”

3 On October 24, 2023, this Court ruled on the motion to dismiss, giving Defendants until  
4 November 7, 2023 to contact Plaintiff for purposes of beginning discovery, which did not occur.

5 I declare under penalty of perjury, that the foregoing is true and correct.

6 DATED: November 8, 2023

7 Respectfully submitted,

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9 Jose DeCastro  
*Pro Se Plaintiff*

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